



Docket No. 2751.2001 US7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Christopher J. Nagel

Application No.: 10/823,404 Group: 1742

Filed: April 13, 2004 Examiner: Not Assigned

Confirmation No.: 3242

For: COMPOSITION OF MATTER TAILORING: SYSTEM I

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:

7-31-04

Date

Hollie Wakefield

Signature

HOLLIE WAKEFIELD

Typed or printed name of person signing certificate

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Notice to File Missing Parts dated June 25, 2004, the following documents and fees are being submitted for filing in the captioned application. A copy of the Notice is attached.

- EXECUTED DECLARATION FOR PATENT APPLICATION**
(Separate transmittal letter and postcard not required)
- POWER OF ATTORNEY DOCUMENT**
 - GRANTED BY INVENTOR(S)**
 - GRANTED BY ASSIGNEE, INCLUDING Statement under 37 C.F.R. 3.73(b)**
(Separate transmittal letter and postcard not required)
- PRELIMINARY AMENDMENT**
(Separate transmittal letter and postcard not required)
- FILING FEE – WITH Fee Transmittal for Patent Applications in duplicate**
Fee calculations based on:
 - Claims as originally filed
 - Claims upon entry of the Preliminary Amendment filed herewith
(Separate transmittal letter and postcard not required)

Application No. 10/823,404
Notice to File Missing Parts dated June 25, 2004

- SURCHARGE – SURCHARGE FEE OF \$130**
(Separate transmittal letter and postcard not required)
- SEQUENCE LISTING** – Filed concurrently and is attached
(Separate transmittal letter and postcard required)
- REPLACEMENT DRAWINGS**
 19 Sheets of substitute drawings consisting of Figs. 1A-2B, 5A, 21A-22C, 27A-28A, 30-34 and 45A-51B are enclosed *(Separate transmittal letter and postcard not required)*
- PETITION FOR EXTENSION OF TIME**
 Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated [] for [] month(s) from [] to []. The appropriate fee of \$[] is included in the enclosed check.
 A [] month extension of time to respond to the Notice to File Missing Parts dated [] was filed on [] with payment of a \$[] fee.
 Applicant hereby petitions for an additional [] month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$[] is included in the enclosed check.
(Separate Petition for Extension of Time and postcard not required)
- REQUEST FOR CORRECTED FILING RECEIPT** – Filed concurrently and is attached.
(Separate transmittal letter and postcard required)
- STATEMENT CLAIMING SMALL ENTITY STATUS**
 Applicant claims small entity status.
 Is enclosed herewith *(Separate transmittal letter and postcard not required)*
 In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$[] which were paid on [] to be deposited in Deposit Account No.

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$2,690.00. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. . A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

ELMORE CRAIG, P.C.

By 
Carolyn S. Elmore
Registration No.: 37,567
Tel.: (978) 251-3509
Fax: (978) 251-3973

N. Chelmsford, Massachusetts 01863
Date:

7/26/04



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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/823,404 | 04/13/2004 | Christopher J. Nagel | 2751.2001-US7 |

CONFIRMATION NO. 3242

000038473
ELMORE CRAIG, P.C.
209 MAIN STREET
N. CHELMSFORD, MA 01863
07/28/2004 PDEMESS1 00000079 10823404

FORMALITIES LETTER



OC000000013066476

01 FC:1001 770.00 OP
02 FC:1201 1376.00 OP
03 FC:1202 414.00 OP
04 FC:1051 130.00 OP

Date Mailed: 06/25/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - Numbers, letters, and reference characters on the drawings must measure at least 0.32 cm (1/8 inch) in height. See Figure(s) 1a- 2b, 5a, 21a- 22c, 27a- 28a, 30-34, 45a- 51b.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$1790** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$2690** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$1790**
 - **\$1376** for **16** independent claims over 3.
 - **\$414** for **23** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
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*A copy of this notice **MUST** be returned with the reply.*

Sefal efn

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



ELMORE CRAIG, P.C.

| | | |
|--|-------------------------------|-----------------------------|
| FEE TRANSMITTAL FOR PATENT APPLICATIONS | Attorney Docket Number | 2751.2001 US7 |
| | Application Number | 10/823,404 |
| | First Named Inventor | Christopher J. Nagel |

Claim Calculation (includes any preliminary amendment)

| CLAIMS | (1) For | (2) Number Filed | (3) Number Extra | (4) Rate | (5) Calculations |
|---------------|--|-------------------------|-------------------------|--|-------------------------|
| | Total Claims (37 CFR 1.16(c) (j)) | 43-20* = | 23 | x \$ 18 = | \$414 |
| | Independent Claims (37 CFR 1.16(b) or (j)) | 19-3** = | 16 | x \$ 86 = | \$1376 |
| | Multiple Dependent Claims (if applicable) (37 CFR 1.16(d)) | | | + \$ 290 = | \$ |
| | | | | Basic Fee (37 CFR 1.16(a) or (h)) = | \$ 770 |
| | | | | Total of above Calculations = | \$2560 |
| | | | | Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) = | \$ |
| | | | | TOTAL = | \$2560 |
| | Surface – Late Filing of Declaration or filing Fees (37 CFR 1.16(e)) = | | | | \$130 |
| | Petition for Extension of Time Fee (37 CFR 1.17) = | | | | \$ |
| | Assignment Recordation Fee (only when filed with application) = | | | | \$ |
| | | | | Other = | \$ |
| | * Reissue claims in excess of 20 and over original patent **Reissue independent claims over original patent | | | TOTAL = | \$2690 |

1. Small entity status:
 - a. A small entity statement is enclosed.
 - b. A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
 - c. is no longer claimed.
2. A general authorization is hereby granted to charge Deposit Account Number 502807 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.
3. A check is enclosed for \$2,690.00.
4. Please charge \$ _____ to Deposit Account Number 502807.
5. Other: _____

| | | | |
|--|-------------------|------------------------|---------|
| Signature | | Date | 7/24/04 |
| Submitted by Typed or Printed Name | Carolyn S. Elmore | Registration Number | 37,567 |